



Application granted.

Plaintiffs shall serve and file their Second Amended Complaint on or before December 13, 2022.

The in-person appearance scheduled for October 24, 2022 is adjourned to 09:30 a.m. on December 21, 2022. No further extensions will be granted.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 41.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Halpern', with a checkmark at the end.

Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
October 3, 2022

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**Via ECF**

Hon. Philip M. Halpern  
U.S. District Court Judge  
Southern District of New York  
The Hon. Charles L. Brannan  
300 Quarropas St.  
White Plains, NY 10601-4150

**Re: Santander Consumer USA, Inc., et al. v. The City of Yonkers, et al.  
Case No. 21-cv-10715 (PMH)**

Dear Judge Halpern:

This firm represents plaintiffs Santander Consumer USA, Inc. and CCAP Auto Lease Ltd. (“Plaintiffs”) and I write to request an adjournment and extension of the October 14, 2022 deadline for Plaintiffs to file their Second Amended Complaint. See Dkt. No. 40. This is the second such request, and the defendant, the City of Yonkers (“Yonkers”),<sup>1</sup> consents to the request. Plaintiff respectfully requests a 60-day extension to and through December 13, 2022.

Plaintiffs and Yonkers continue to engage in discussions relating to settling this lawsuit. Plaintiff has already provided feedback on one draft of a proposed new ordinance, which took into account Plaintiff’s prior correspondence with explanations of the legal reasoning behind the proposed changes. Moreover, Plaintiff has provided a monetary demand for which it is awaiting a response. Both parties have justifiably taken their time to review and analyze the new ordinance and other issues surrounding settlement. Plaintiffs and Yonkers believe the requested extension would enhance the prospects of settlement and allow the parties to focus on settlement efforts rather than the litigation, particularly because of the fee-shifting nature of the litigation.

Moreover, Plaintiff also requests adjournment of the October 24, 2022 conference to such date as is convenient for the Court after the new deadline for submission of a second amended complaint.

<sup>1</sup> The defaulted defendants have reached an agreement with Plaintiffs, to be effectuated by omitting them from the Second Amended Complaint when filed.



Norris McLaughlin, P.A.


September 30, 2022

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We thank the Court for its time and consideration of this matter.

Respectfully Submitted,

Norris McLaughlin, P.A.

By:   
Nicholas Duston